

THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:	§	
	§	
LAWRENCE EDWARD CREED	§	CASE NO. 15-40892-R
XXX-XX-8175	§	
2404 BERETTA	§	CHAPTER 13
MESQUITE, TX 75181	§	
	§	
DEBTOR	§	

TRUSTEE'S REPORT FOR CONFIRMATION AND WITNESS AND EXHIBIT LIST

TRUSTEE'S REPORT FOR CONFIRMATION

Attorney for Debtor: VERONICA DEAVER

Trustee: CAREY D. EBERT, CHAPTER

Plan filed on: December 21, 2015

I. Budget Information

A. Monthly income:

Debtor	\$	0.00
Joint Debtor	\$	0.00
Other	\$	4,660.00
Total	\$	4,660.00
Expenses	\$	3,610.00
Difference	\$	1,050.00

B. Monthly plan payments *

\$1,039.00	for 1 months =	\$	1,039.00
\$918.00	for 59 months =	\$	54,162.00

II. Analysis of Plan

A. Monthly plan payment	*
B. Plan duration in months	60
C. Total to be paid into plan	\$ 55,201.00
D. Administrative allowance (10% of total to be paid into plan)	\$ 5,520.10
E. Net available to creditors	\$ 49,680.90

The Plan proposes the following treatment of the listed claims:

Creditor	Proposed Principal Amount	Rate	Term	Monthly Payment	Total
<u>PRIORITY AND SPECIALLY CLASSIFIED UNSECURED CLAIMS:</u>					
VERONICA DEEVER DEBTOR ATTORNEY	\$ 3,200.00	0.00	FIRST FUNDS	\$ 0.00	\$ 3,200.00
INTERNAL REVENUE SERVICE 2000-2014 TAXES	37,000.20	0.00	1-60	\$616.67	37,000.20
TOTAL PAID TO PRIORITY AND SPECIALLY CLASSIFIED UNSECURED CLAIMS					\$40,200.20
<u>SECURED CLAIMS:</u>					
TMX FINANCE DODGE DAKOTA	2,000.00	5.00	1-60	\$37.86	2,271.60
TMX FINANCE 2005 DODGE DAKOTA	4,524.00	5.00	1-60	\$87.47	5,248.20
CONNS CREDIT CORP APPLIANCES/FURNITURE (Surrender)	0.00	0.00		\$0.00	0.00
COLONIAL SAVINGS MORTGAGE HOMESTEAD (Debtor is disbursing agent)	0.00	0.00		\$0.00	0.00
SUNTRUST BK TAMPA BAY DODGE CHARGER (Debtor is disbursing agent)	0.00	0.00		\$0.00	0.00
TOTAL PAID TO SECURED CLAIMS					\$7,519.80
TOTAL PAID TO PRIORITY, SPECIALLY CLASSIFIED UNSECURED AND SECURED CLAIMS					\$47,720.00
AMOUNT AVAILABLE TO UNSECURED CLAIMS					\$1,960.90
PROJECTED DISPOSABLE INCOME AMOUNT UNDER 11 USC §1325(b)					\$0.00

The Trustee objects to confirmation on the following grounds:

- The plan has not been proposed in good faith. The Debtor has not dedicated \$5,000 to the plan. Debtor has made preference payment to his Father.
- The Debtor has failed to file a certificate of service for the Chapter 13 plan on IRS and Colonial Mortgage.
- The Debtor has failed to amend Schedule I to reflect new employer and income.
- The Debtor has failed to amend Schedule J to delete Care Credit payment, reduces expenses and reflect amount of support for kids.
- The Debtor has failed to amend Schedule H to reflect Co-Debtor for Colonial and Suntrust.
- The Debtor has failed to amend the Statement of Financial Affairs to reflect payments to Home Depot and Lowes.
- The Debtor has not filed the following tax returns in violation of 11 USC §1325(a)(9): 2009-2014.
- The Debtor has not tendered to the Chapter 13 Trustee the following documents:
 - Affidavit that the following tax returns were filed: 2009-2014.; or alternatively, an affidavit that the tax returns were not required to be filed for those years.
 - Tax returns for the following year(s): 2009-2014.
 - Paystubs for Debtor (2) additional.
 - Statements for each of your depository and investment accounts for the time period that includes the date of the filing of the petition.
 - Current declaration regarding status of post-petition obligations. (TXEB Local Form 3015-c)
 - Update regarding amount received for 2015 from Sales.
 - Copy of Tolling Agreement signed by Father.

WITNESS AND EXHIBIT LIST

The Trustee reserves the right to call as a witness any or all of the following listed persons in relation to confirmation:

1. Carey D. Ebert, Chapter 13 Trustee
2. Shelly Terrill
3. Debtor
4. Any witness designated by other party

The Trustee reserves the right to introduce into evidence any or all of the following:

1. Copy of the Trustee's Confirmation Report, Witness and Exhibit List
2. Copies of any schedules or pleadings as filed herein by the Debtor or any other party
3. Copies of any Proof of Claim as filed herein by any creditor or other party
4. Copies of any Chapter 13 Plan and amendments thereof filed herein by the Debtor
5. Copy of the latest computer printout from the Trustee's office representing the Chapter 13 Plan payments received by the Trustee from the Debtor
6. If the Debtor is self-employed, the Debtor's monthly operating reports or profit and loss statements provided to the Trustee
7. Copies of the Debtor's prior years' tax returns as provided to the Trustee
8. Copy of Required Amendments sheet from the §341 Meeting of Creditors
9. Copy of any other document produced by the Debtor at the §341 Meeting of Creditors, or subsequently produced by the Debtor to the Trustee
10. Copy of the current issue of the Dallas/Fort Worth Metroplex Apartment Guide and/or copies of current reports from www.apartmentratings.com
11. Reports from news media sources for the DFW Metroplex
12. Copies of any other exhibits designated by any other party

Copies of these exhibits will be provided by the Trustee upon request by any party.

Respectfully submitted,

/s/ Shelly Terrill

Carey D. Ebert, Chapter 13 Trustee, TBN
05332500

Shelly Terrill, TBN 00794788

Office of the Standing Chapter 13 Trustee
500 North Central Expressway, Suite 350
Plano, Texas 75074

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Trustee's Report for Confirmation and Witness and Exhibit List has been served upon the following parties in interest on the date set forth below by either electronic service or mailing a copy of same to them via first class mail.

LAWRENCE EDWARD CREED
2404 BERETTA
MESQUITE, TX 75181

* GAY, MCCALL, ISAACKS, GORDON &
ROBERTS, PC
777 EAST 15TH STREET
PLANO, TX 75074

VERONICA DEAVER
LAW OFFICES OF VERONICA DEAVER
P. O. BOX 2248
MCKINNEY, TX 75070

QUILLING SELANDER CUMMISKEY &
LOWNDS PC
2001 BRYAN STREET, SUITE 1800
DALLAS, TX 75201

Dated: January 22, 2016

/s/ Shelly Terrill
Office of the Standing Chapter 13 Trustee